

To: Miller, Linda[miller.linda@epa.gov]; D'Andrea, Michael[DANDREA.MICHAEL@EPA.GOV]; Beers, Samantha[Beers.Samantha@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; bigioni, neil[bigioni.neil@epa.gov]; Gardner, Allison[Gardner.Allison@epa.gov]
From: Rodrigues, Cecil
Sent: Fri 6/10/2016 2:02:38 PM
Subject: FW: DRAFT JOINT (EPA-DOT) ACCEPTANCE LETTERS FOR BRANDYWINE CASE
Joint Acceptance Letter FINAL DRAFT COMPLAINANT 6-10-2016.doc
Joint Acceptance Letter FINAL DRAFT Recipients 6-10-2016.doc

Please review and get back to me ASAP.

Thanks. Cecil.

Cecil Rodrigues

Deputy Regional Administrator (3DA00)

EPA Region III

1650 Arch Street

Philadelphia, PA 19103

215.814.2683

215.814.2901 (fax)

Iphone: 215.266.2960

rodrigues.cecil@epa.gov

From: Dorka, Lilian

Sent: Friday, June 10, 2016 9:53 AM

To: Rodrigues, Cecil <rodrigues.cecil@epa.gov>

Cc: burrows, Cynthia <Burrows.Cynthia@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Temple, Kurt

<Temple.Kurt@epa.gov>

Subject: DRAFT JOINT (EPA-DOT) ACCEPTANCE LETTERS FOR BRANDYWINE CASE

Importance: High

Hi Cecil – Here are the draft acceptance letters for the Brandywine case that we have worked out with DOT. I know how busy you are but if there if any way you can let me know by noon Monday whether you have any concerns, I would really appreciate it. We would like to issue the letters by Tuesday if possible as we are already late in meeting the 20 day requirement and already getting bad press. ☹ (See link to article forwarded by DOT this morning.) Thanks!

<http://www.counterpunch.org/2016/06/10/bridging-the-trust-gap-in-energy-justice-battles/>

Lilian Sotolongo Dorka

Deputy Director, EPA, Office of Civil Rights

202-564-9649

WJC-N Room 2450

To: Rodrigues, Cecil[rodrigues.cecil@epa.gov]
Cc: Isales, Daniel[Isales.Daniel@epa.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]; Temple, Kurt[Temple.Kurt@epa.gov]; Beers, Samantha[Beers.Samantha@epa.gov]
From: Dorka, Lilian
Sent: Tue 9/27/2016 1:06:39 PM
Subject: FW: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Hi Cecil and Region 3 colleagues,

I wanted to let you know that we were informed by Will Hall that both parties have officially agreed to begin the mediation (ADR) process. Based on that information, we (DOT and EPA OCRs) suspended (as of Friday afternoon) the investigation pending the ADR process, as is the established procedure. We are in the process of preparing the formal letter which reflects the suspension of the investigation and hope to issue that today or tomorrow. We have let the parties know, informally, that the investigation was suspended - - especially as the State wanted to know if they still had to send in their response this week and we told them they did not. Please let me know if you have any questions. We will keep you posted on any change in status. Thanks! Lilian

To: burrows, Cynthia[Burrows.Cynthia@epa.gov]; Isales, Daniel[Isales.Daniel@epa.gov]; Beers, Samantha[Beers.Samantha@epa.gov]
From: Rodrigues, Cecil
Sent: Fri 5/13/2016 8:13:55 PM
Subject: FW: FINALIZED & MAILED RE: Acknowledgement of Receipt RE: EPA FILE NOS. 28R-16-R3, 29R-16-R3 and 30R-16-R3
[2016 05 12 Earthjustice \(Complainant\) RE Acknowledgement 28R-16-R3, et al.pdf](#)
[2016 05 12 MDE \(Recipient\) Acknowledgement 29R-16-R6.pdf](#)
[2016 05 12 MDNR \(Recipient\) Acknowledgement 30R-16-R6.doc.pdf](#)
[Exhibits - Final.pdf](#)
[Final Complaint 05-11-2016.pdf](#)
[2016 05 12 MD PSC \(Recipient\) Acknowledgement 28R-16-R6.pdf](#)

From: Harrison, Brenda
Sent: Friday, May 13, 2016 12:53 PM
To: Bachle, Laura
Cc: Dorka, Lilian; Temple, Kurt; Rhodes, Julia; Rodrigues, Cecil; Coe, Mary
Subject: FINALIZED & MAILED RE: Acknowledgement of Receipt RE: EPA FILE NOS. 28R-16-R3, 29R-16-R3 and 30R-16-R3

The above-subject files have been scanned, copied, filed in G: drive, attached and mailed today, Friday, May 13, 2016. Complaint (FOR INTERNAL USE ONLY – DO NOT DISTRIBUTE, CONFIDENTIAL) regarding same have also been attached.



Brenda C. Harrison

U.S. Environmental Protection Agency

Office of Civil Rights – Title VI

WJC-North, Rm 2524C, Mail Code: 1201A

1200 Pennsylvania Avenue, N.W.

Washington, DC 20460

202.564.6245 (Direct Line)

202-564-7272 (Main Office)

202-501-1836 (Fax)

Email: harrison.brenda@epa.gov

What is NEPA Scoping?

Scoping is a part of the EIS process through which a federal agency describes a proposed action and possible alternatives. The agency then seeks input from other agencies, organizations, and the public on potentially affected resources, environmental issues to be considered, and the agency's planned approach to analysis.



What is the Purpose of this Public Scoping Meeting?

This public scoping meeting is designed to solicit public and agency comments regarding issues the EIS should consider. This scoping meeting aims to:

- Provide an overview of the Dallas Floodway.
- Present the proposed action.
- Define resources to be analyzed.
- Present the proposed approach to analysis.
- Provide key milestones in the EIS.

The USACE and City of Dallas request input from interested people, organizations, and agencies on:

- Environmental resource analysis.
- Possible action alternatives.
- Public impact assessment criteria.

**We Encourage You to Provide Your Input
During the Public Scoping and Public Review Periods!**

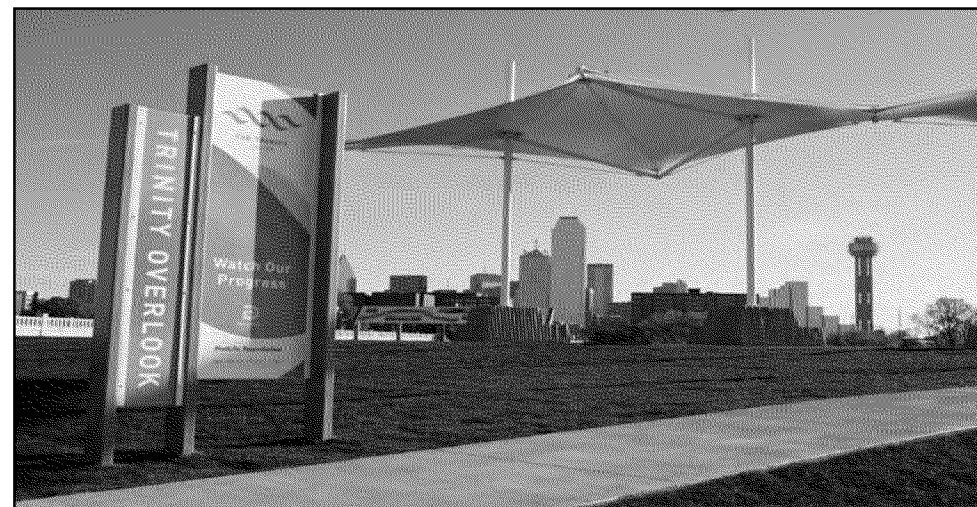
How Do I Provide My Comments?

- Use the comment sheet provided tonight.
- Provide a verbal comment to the court reporter tonight.
- Submit comments electronically via the project website:
<http://www.dallasfloodwayprojecteis.com>
- Email comments to: Jeffry.A.Tripe@usace.army.mil
- Mail comments to:

**United States Army Corps of Engineers
Fort Worth District
Attn: Jeffry Tripe
P.O. Box 17300, Room 3A14
Fort Worth, Texas 76102-0300**

**Please Provide Comments By
December 16, 2009**

Thank You For Coming!



We Look Forward to Receiving Your Input!



What is NEPA...



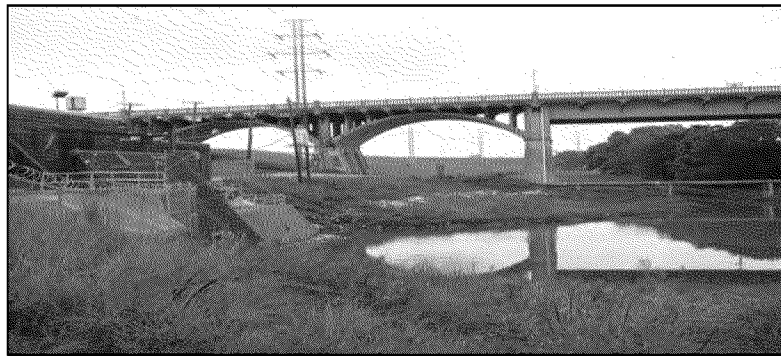
Sunrise over the Dallas Floodway

**...and the Public
Scoping Process?**

What is NEPA?

NEPA stands for the "National Environmental Policy Act" and is:

- A statutory requirement triggered by major federal actions that could significantly affect the quality of the human environment.
- A federal law that requires the identification and analysis of potential environmental effects before those actions take place.
- A "full disclosure" law with provisions for public access to and public participation in the federal decision-making process.
- A mechanism for evaluating potential environmental impacts and incorporating public involvement into the federal decision-making process.



Legislative, Regulatory, and Interagency Framework Governing NEPA

- NEPA of 1969: Public Law 91-190.
- 40 CFR 1500-1508: Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA.
- U.S. Army Corps of Engineers (USACE) Engineering Regulation 200-2-2, Procedures for Implementing NEPA.
- Based upon the legislative, regulatory, and interagency framework governing NEPA, the USACE, in cooperation with the City of Dallas is preparing an Environmental Impact Statement (EIS) for the Dallas Floodway Project.

What is an EIS?

An EIS stands for "Environmental Impact Statement" and:

- Presents the results of analyses of the potential environmental effects of a proposed action and alternatives.
- Is prepared when a proposed action could cause significant environmental effects or if the proposed action would generate significant public interest.
- Includes a description of baseline conditions for all resource areas against which effects of the proposed action and alternatives are evaluated.
- Identifies potential consequences and any appropriate mitigation (measures to reduce adverse impacts).
- Includes opportunities for public involvement



Steps in Preparing an EIS

- Define the proposed action, alternatives, and decisions to be made.
- Identify what needs to be analyzed (scoping); refine the proposed action and alternatives.
- Gather data, conduct analyses, and identify environmental effects of the proposed action and alternatives.
- Publish a Draft EIS for public and agency review.
- Host a public meeting for the Draft EIS to solicit comments.
- Publish a Final EIS for public and agency review.
- Publish a Record of Decision.

Impact Assessment Criteria

The USACE has identified a broad spectrum of general and project-specific criteria with which to analyze the potential impacts of the action alternatives. Example impact analysis criteria include:

- Institutional Criteria
 - NEPA, National Historic Preservation Act
- Public Criteria
 - To Be Determined (please provide YOUR input!)
- Technical Criteria
 - Levee Stability, Flood Conveyance
- Scientific Criteria
 - Texas Endangered Species



Public Involvement Opportunities

- Public Scoping Meeting (oral or written comments)
- Draft EIS Public Review Period (written comments)
- Draft EIS Public Meeting (oral or written comments)
- Final EIS Public Review Period (written comments)

Public notices will be published when the Draft and Final EISs are released for public review.

Additional information about the Dallas Floodway Project EIS is available at the project website:

<http://www.dallasfloodwayprojecteis.com>

To: Biffl, Betsy[Biffl.Betsy@epa.gov]
From: Martinez, Brittany
Sent: Tue 6/21/2016 7:05:25 PM
Subject: Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R-16-R3 30R-16-R3_DOT File no 2016-0361 bb.UPDATED.docx
Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R-16-R3 30R-16-R3_DOT File no 2016-0361 bb.UPDATED.docx

Hi- When we talk I can include some of the probing questions found in the presentation but I wanted to get something to you asap.

To: Dorka, Lilian[Dorka.Lilian@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Covington, Jeryl[Covington.Jeryl@epa.gov]; Rhodes, Julia[Rhodes.Julia@epa.gov]
Cc: Biffl, Betsy[Biffl.Betsy@epa.gov]
From: Martinez, Brittany
Sent: Mon 6/20/2016 6:55:37 PM
Subject: Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R-16-R3 30R-16-R3_DOT File no 2016-0361 bb.docx
Brandywine Joint Complaint Investigation Plan_EPA File no 28R-16-R3 29R-16-R3 30R-16-R3_DOT File no 2016-0361 bb.docx

Hi all-

Please take a look at the updated version of the IP which includes OGC's edits. Please let me know if you have any questions. I think we should share this with DOT and DOJ no later than noon tomorrow in preparation for the Wednesday meeting.

Thanks!

To: Martinez, Brittany[Martinez.Brittany@epa.gov]
Cc: Rhodes, Julia[Rhodes.Julia@epa.gov]
From: Biffl, Betsy
Sent: Mon 6/20/2016 5:40:29 PM
Subject: draft IP

Brandywine Joint Complaint Investigation Plan EPA File no 28R-16-R3 29R-16-R3 30R-16-R3 DOT File
no 2016-0361 bb.docx

Brittan, here's the draft IP with comments / suggestions. Please feel free to call me if you want to discuss or don't understand any of my comments. Wasn't sure who all to loop in in OCR so please forward.

Thanks!

Betsy Biffl

Attorney Advisor

EPA, Office of General Counsel

Civil Rights Law Practice Group

202-564-3389



To: Dorka, Lilian[Dorka.Lilian@epa.gov]
From: Harrison, Brenda
Sent: Fri 7/1/2016 12:59:38 PM
Subject: Brandywine TB Coalition Congressional
CMS re Congressional regarding Tutman, F of Patuxent Riverkeeper 28R- 29R- 30R-16-R3.pdf

As requested.



Brenda C. Harrison

U.S. Environmental Protection Agency

Office of Civil Rights – Title VI

WJC-North, Rm 2524C, Mail Code: 1201A

1200 Pennsylvania Avenue, N.W.

Washington, DC 20460

202.564.6245 (Direct Line)

202-564-7272 (Main Office)

202-501-1836 (Fax)

Email: harrison.brenda@epa.gov

To: Dorka, Lilian[Dorka.Lilian@epa.gov]
Cc: Bachle, Laura[Bachle.Laura@epa.gov]
From: Martinez, Brittany
Sent: Fri 6/24/2016 2:11:52 PM
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

I left a message for both Neil Gormley and Christine Ernst of Earthjustice. Waiting to hear back.

Please note that I gave Laura's contact information as an alternative if I do not hear back before Wednesday of next week.

From: Dorka, Lilian
Sent: Friday, June 24, 2016 9:51 AM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>
Cc: Bachle, Laura <Bachle.Laura@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Thanks!

From: Martinez, Brittany
Sent: Friday, June 24, 2016 9:44 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>
Cc: Bachle, Laura <Bachle.Laura@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Howard is out today. I will give Neil Gormley a call.

From: Dorka, Lilian
Sent: Friday, June 24, 2016 9:43 AM
To: Martinez, Brittany <Martinez.Brittany@epa.gov>
Cc: Bachle, Laura <Bachle.Laura@epa.gov>
Subject: FW: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi Brittany – do you know if Howard is in today? If not, can you go ahead and give the complainants a call please? Thanks much!

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]
Sent: Friday, June 24, 2016 9:40 AM
To: Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Beers, Samantha <Beers.Samantha@epa.gov>
Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Fine with me.

Rosanne Goodwill

PHMSA

Office of Civil Rights

202-366-6580

Cell: 202-365-5560



From: Rivera, Yvette (OST)
Sent: Friday, June 24, 2016 9:37 AM
To: Dorka, Lilian; Martinez, Brittany; Goodwill, Rosanne (PHMSA); Biffl, Betsy; Caro-Lopez, Howard (OST); Rodrigues, Cecil; Covington, Jeryl; Isales, Daniel; Daria Neal; Fitzpatrick, Ryan (OST); Rhodes, Julia; Kevonne Small; Temple, Kurt; Bachle, Laura; Miller, Linda; Beers, Samantha

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Ok with me.

Sent with Good (www.good.com)

From: Dorka, Lilian <Dorka.Lilian@epa.gov>

Sent: Friday, June 24, 2016 9:32:10 AM

To: Martinez, Brittany; Goodwill, Rosanne (PHMSA); Biffl, Betsy; Caro-Lopez, Howard (OST); Rodrigues, Cecil; Covington, Jeryl; Isales, Daniel; Daria Neal; Fitzpatrick, Ryan (OST); Rhodes, Julia; Kevonne Small; Temple, Kurt; Bachle, Laura; Miller, Linda; Rivera, Yvette (OST); Beers, Samantha

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

I would recommend we contact them to confirm they received our email and ask about the their availability. Yvette, Rosanne and others, ok with you? If so, either Brittany or Brittany and Howard can give them a call.

From: Martinez, Brittany

Sent: Friday, June 24, 2016 9:23 AM

To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

We have not heard back from Earthjustice.

From: Dorka, Lilian

Sent: Thursday, June 23, 2016 6:50 PM

To: Martinez, Brittany <Martinez.Brittany@epa.gov>; Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Also, FYI, it looks like all three MD agencies have confirmed attendance for July 7th. I am not sure we have heard from complainants? Checking in with Brittany and Laura so that they can update us tomorrow morning. Thanks! Lilian

From: Martinez, Brittany

Sent: Thursday, June 23, 2016 5:52 PM

To: Goodwill, Rosanne (PHMSA) <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi everyone-

As discussed in yesterday's meeting, I have attached all record of contact documents for your administrative file. Thanks!

From: Martinez, Brittany

Sent: Thursday, June 23, 2016 3:51 PM

To: 'Goodwill, Rosanne (PHMSA)' <rosanne.goodwill@dot.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <beers.samantha@epa.gov>

Subject: RE: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Hi Rosanne- The email that I forwarded this morning confirms that PSC will be available to participate in the July 7th meeting.

The Secretary for PSC was captured in the original invite and it must have been subsequently delegated to their counsel. The point of contact is Joey Chen.

From: Goodwill, Rosanne (PHMSA) [<mailto:rosanne.goodwill@dot.gov>]

Sent: Thursday, June 23, 2016 2:45 PM

To: Biffl, Betsy <Biffl.Betsy@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Daria Neal <daria.neal@usdoj.gov>; Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Kevonne Small <kevonne.small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>; Beers, Samantha <Beers.Samantha@epa.gov>

Subject: FW: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

I have a concern that Maryland Public Service Commission isn't listed. I believe it is crucial that they attend.

Rosanne Goodwill

Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580
Cell: 202-365-5560



From: Stephanie Cobb Williams -MDE- [<mailto:stephaniecobb.williams@maryland.gov>]
Sent: Thursday, June 23, 2016 2:00 PM
To: Bachle, Laura
Cc: jennifer.wazenski@maryland.gov; steven.talson@maryland.gov; andrea.baker@maryland.gov; ngormley@earthjustice.org; cernst@earthjustice.org; chall@earthjustice.org; mark.belton@maryland.gov; ben.grumbles@maryland.gov; kevin.hughes@maryland.gov; david.collins@maryland.gov; Goodwill, Rosanne (PHMSA); Rivera, Yvette (OST); Dorka, Lilian
Subject: Re: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

Good afternoon Laura and Brittany,

This email is to confirm for you that both the Maryland Department of the Environment and the Maryland Department of Natural Resources are available to meet with EPA and DOT with regard to this matter on July 7, 2016 between 10:00a.m. and 3:00p.m. Please advise regarding the specific meeting time and location. Thank you.

Stephanie Cobb Williams
Assistant Attorney General
Maryland Department of the Environment
1800 Washington Boulevard
Suite 6048
Baltimore, Maryland 21230
(410) 537-3040

On Tue, Jun 21, 2016 at 2:15 PM, Bachle, Laura <Bachle.Laura@epa.gov> wrote:

Greetings Colleagues:

The U.S. Department of Transportation (DOT) and the Environmental Protection

Agency (EPA), would like to facilitate an initial discussion with Earthjustice, the Maryland Department of the Environment, Maryland Department of Natural Resources, and the Public Service Commission, to discuss the accepted Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3. In addition, during this meeting we would like to discuss the complaint resolution process, including informal resolution and Alternative Dispute Resolution.

We would like to meet at your earliest convenience. Possible dates for a meeting (for approximately one hour and a half) include: July 6 or 7, 2016 between 10:00 AM and 3:00 PM. Please let us know as soon as possible by responding to Laura Bachle (Bachle.Laura@EPA.gov) and Brittany Martinez (at Martinez.Brittany@EPA.gov) about your availability on either of these dates.

Thank you for your cooperation and assistance.

Yvette Rivera

Associate Director

Departmental Office of Civil Rights, DOT

Rosanne Goodwill

Director

Office of Civil Rights, PHMSA, DOT

Lilian S. Dorka

Acting Director

Office of Civil Rights, EPA

Laura Bachle, AICP

U.S. Environmental Protection Agency

Office of Civil Rights|External Compliance Program

1200 Pennsylvania Avenue, N.W.|WJC-North|Rm 2524

Mail Code: 1201A

Washington, DC 20460

Desk: (202) 566.2468

Fax: (202) 565.0196

bachle.laura@epa.gov

To: Dorka, Lilian[Dorka.Lilian@epa.gov]; Rhines, Dale[rhines.dale@epa.gov]
From: Martinez, Brittany
Sent: Wed 11/15/2017 5:51:34 PM
Subject: Brandywine- Draft Letter for Review
Joint Reinitiation of Investigation Draft Letter 11.15.17.doc

Please let me know if you have any edits. Once received I will forward to CRFLO. There will be 5 letters in total, 3 to the recipients and 2 for the complainant groups.

To: Dorka, Lilian[Dorka.Lilian@epa.gov]
From: Covington, Jeryl
Sent: Wed 5/25/2016 6:54:54 PM
Subject: RE: FINALIZED & MAILED RE: Acknowledgement of Receipt RE: EPA FILE NOS. 28R-16-R3, 29R-16-R3 and 30R-16-R3

As we have previously mentioned, unfortunately, we have found on the G: drive unsigned and undated final letters.

From: Dorka, Lilian
Sent: Wednesday, May 25, 2016 2:51 PM
To: Harrison, Brenda <Harrison.Brenda@epa.gov>
Cc: Temple, Kurt <Temple.Kurt@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>
Subject: RE: FINALIZED & MAILED RE: Acknowledgement of Receipt RE: EPA FILE NOS. 28R-16-R3, 29R-16-R3 and 30R-16-R3

Hi Brenda – As I was preparing to send a copy of our acknowledgement letters in this case to our colleagues at DOT, I noticed one of the pdfs that you attached (the letter to the MD Dept of Natural Resources) had not been signed. I probably skipped it and did not sign it? I went ahead and printed and signed it so that we can have a signed copy in our records. Guess maybe we mailed an unsigned letter to MDNR? Here is the signed letter. (Brittany, we can include this one in our case file – unless there is in fact a signed copy?)

From: Harrison, Brenda
Sent: Friday, May 13, 2016 12:53 PM
To: Bachle, Laura <Bachle.Laura@epa.gov>
Cc: Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>; Coe, Mary <Coe.Mary@epa.gov>
Subject: FINALIZED & MAILED RE: Acknowledgement of Receipt RE: EPA FILE NOS. 28R-16-R3, 29R-16-R3 and 30R-16-R3

The above-subject files have been scanned, copied, filed in G: drive, attached and mailed today, Friday, May 13, 2016. Complaint (FOR INTERNAL USE ONLY – DO NOT DISTRIBUTE, CONFIDENTIAL) regarding same have also been attached.



Brenda C. Harrison

U.S. Environmental Protection Agency

Office of Civil Rights – Title VI

WJC-North, Rm 2524C, Mail Code: 1201A

1200 Pennsylvania Avenue, N.W.

Washington, DC 20460

202.564.6245 (Direct Line)

202-564-7272 (Main Office)

202-501-1836 (Fax)

Email: harrison.brenda@epa.gov

To: Dorka, Lilian[Dorka.Lilian@epa.gov]
From: Fitzpatrick, Ryan (OST)
Sent: Fri 6/24/2016 1:35:48 PM
Subject: Automatic reply: Title VI Complaint, File DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3- Opportunity to Facilitate an Initial Discussion

I am out of the office on leave with no access to telephone or e-mail, from June 24 until July 16. Please contact Yvette Rivera at yvette.rivera@dot.com or Howard Caro-Lopez at howard.caro-lopez@dot.com with any inquiries or concerns. I apologize for any inconvenience.

All the best,

Ryan

To: Martinez, Brittany[Martinez.Brittany@epa.gov]
Cc: Dorka, Lilian[Dorka.Lilian@epa.gov]; Rivera, Yvette (OST)[yvette.rivera@dot.gov]; Goodwill, Rosanne (PHMSA)[rosanne.goodwill@dot.gov]; Fitzpatrick, Ryan (OST)[ryan.fitzpatrick@dot.gov]; Rhines, Dale[rhines.dale@epa.gov]; Temple, Kurt[Temple.Kurt@epa.gov]; Steven Talson -MEA-[steven.talson@maryland.gov]; Susan T Gray -DNR-[susan.gray@maryland.gov]
From: Jennifer Wazenski -DNR-
Sent: Mon 12/4/2017 6:55:58 PM
Subject: Re: Title VI Complaint_ DOT File No. 2016-0361 and EPA File Nos. 28R-16-R3, 29R-16-R3, and 30R-16-R3

Thanks, Brittany-- It was good talking with you this morning. In light of the approaching holiday season and short time horizon for scheduling, it is helpful to know that telephone participation of some agency contacts would be acceptable. We would be happy to meet/teleconfer either jointly with or separately from our fellow responding State agencies as scheduling allows.

Regarding the availability, of our DNR team it looks like the best days would be:

12/13 all day

12/14 after 1:00

12/15 all day until 3

12/18 all day

12/19 all day

I am available in person on each of those days and my compatriots, AAG Steve Talson and PPRP Deputy Director Susan Gray, will be available by phone or in person depending on the day. We would prefer to meet either in Annapolis or Baltimore, and I have reserved our large conference room for 12/18 and 12/19 (the only of the requested dates that the room is available) in case either of those dates becomes a preferred option. Please let me know how you would like to proceed.

Jennifer L. Wazenski
Assistant Attorney General
Principal Counsel
Maryland Department of Natural Resources
580 Taylor Ave. C-4
Annapolis, MD 21401
phone: 410-260-8350
fax: 410-260-8364
mobile: 240-565-3690
jennifer.wazenski@maryland.gov

On Mon, Dec 4, 2017 at 10:41 AM, Martinez, Brittany <Martinez.Brittany@epa.gov> wrote:

Good morning,

As a follow up from our previous email, DOT and EPA would like to schedule a meeting with PSC, MDE, and MDNER to discuss next steps. We are currently scheduled to speak with the Complainant groups this week and would like for the meeting with Recipients to

take place during either the week of December 11th or the 18th. We would prefer to jointly meet with your agencies, but please let us know if there is a preference to meet separately. Additionally, if it works better for you, we are willing to travel to you for this meeting. We will touch base again later this week to discuss your availability and logistics.

Please contact either me at (202) 564-0727 or Ryan Fitzpatrick (DOT) at (202) 366-1979 or ryan.fitzpatrick@dot.gov with any questions.

Thank you,

Brittany Martinez

To: Dorka, Lilian[Dorka.Lilian@epa.gov]
From: Martinez, Brittany
Sent: Wed 6/22/2016 12:03:26 PM
Subject: FW: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

I reviewed DOT's letters and do not have any comments.

From: Goodwill, Rosanne (PHMSA) [mailto:rosanne.goodwill@dot.gov]
Sent: Wednesday, June 22, 2016 7:39 AM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Rivera, Yvette (OST) <yvette.rivera@dot.gov>
Cc: Fitzpatrick, Ryan (OST) <ryan.fitzpatrick@dot.gov>; Martinez, Brittany <Martinez.Brittany@epa.gov>; Bachle, Laura <Bachle.Laura@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Caro-Lopez, Howard (OST) <howard.caro-lopez@dot.gov>; Neal, Daria (CRT) <Daria.Neal@usdoj.gov>; Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; Miller, Linda <miller.linda@epa.gov>; Isales, Daniel <Isales.Daniel@epa.gov>; Beers, Samantha <Beers.Samantha@epa.gov>; Rodrigues, Cecil <rodrigues.cecil@epa.gov>
Subject: RE: Title VI Investigation of Administrative Complaint DOT #2016-0361; EPA File #s 28R-16-R3, 29R-16-R3, and 30R-16-R3

Attached are two joint letters to send to Akin Gump and the Prince George's County NAACP advising that we have received their correspondence. If these letters look good to everyone, maybe Lilian and Yvette can sign them this morning and then Ryan can bring them to me to sign (as I can't make the meeting in person) and then I will send them out. Feel free to make changes.

Rosanne Goodwill
Civil Rights Director
Pipeline and Hazardous Materials Safety Administration
202-366-6580
Cell: 202-365-5560



To: Dorka, Lilian[Dorka.Lilian@epa.gov]; Bachle, Laura[Bachle.Laura@epa.gov]; Martinez, Brittany[Martinez.Brittany@epa.gov]
From: Covington, Jeryl
Sent: Tue 7/12/2016 3:12:09 PM
Subject: Title VI Website Complaint receipt: Mattawoman Request
Title VI Complaint regarding Mattawoman Energy Project- Request to Attend Meeting

Please note that the rep from Mattawoman responded to the Title VI complaints website with his request for participation.

Jeryl W. Covington

Environmental Protection Specialist

U.S. Environmental Protection Agency

Office of Civil Rights|External Compliance Program

1200 Pennsylvania Avenue, N.W.|WJC-North|Rm 2524

Mail Code: 1201A

Washington, DC 20460

Desk: (202) 564-7713

Fax: (202) 565-0196

covington.jeryl@epa.gov

To: Cerasani, Gina[Cerasani.Gina@epa.gov]; Logan, Shanita[logan.shanita@epa.gov]
Cc: Briskin, Jeanne[Briskin.Jeanne@epa.gov]; Dorka, Lilian[Dorka.Lilian@epa.gov]
From: Dalton, Deborah
Sent: Fri 6/9/2017 8:59:08 PM
Subject: FW: DOT Agreement
4 FORM IAA Form 2300.1a.pdf
TO 87 Mattawoman Title VI SOW mod.docx
Mattawoman Case IGCE 6.9.17 dd for DOT IA.xlsx
DOT IA EPA draft.pdf

Several things I will need on Monday to send this on to Jeanne for approval: (this is as much for me on Monday morning to remember what I have to do.....)

1. For Gina and/or Shanita – I need the breakdown of which agency within DOT – the IGMS form gives me a whole list of identifiers and I can't tell where to get them off of the PDF of the DOT form. The format generally looks like this: DOT 02142 – Department of Transportation. Arguably it is somewhere on their form called something, but I can't see it. If it is not on the form Gina needs to call her contact and get this identifier. I wasn't able to copy the pick list off of the form to make it easier – there must be 20 choices.....
2. Shanita is getting the reimburseable permission from OCFO. We'll need to save a copy of OCFO's email as a document and I'll need to put it in as an attachment.
3. I need to know whether Shanita will need the IA routed to her to put in accounting information from the reimbursable or not. I can't remember from a couple of years ago whether I need to route a Funds In to the FCO or not – I know on Funds Out IAs I have to.
4. There are probably other missing or wrong entries that I will need to deal with Monday, but IGMS only gives you one error at a time rather than listing everything that is a problem. Sigh.
5. Gina – I did redo the ICGE to match the funding we will put in the contract (within a few dollars). See the new one above. I just made up something that seemed likely.
6. I scanned in a copy of where I am so far – Shanita – if you see things that I might have done wrong, please let me know.

I will be in on Monday but out starting Tuesday for a week. So – if we can move this Monday that would be great.

Deb

Deborah S. Dalton

Conflict Prevention and Resolution Center

U.S. Environmental Protection Agency
"Making Agreement Easier" | (202) 564-2913 (O) | (202) 573-6963 (M)
<http://intranet.epa.gov/adr> or <http://www.epa.gov/adr>

From: Cerasani, Gina
Sent: Friday, June 09, 2017 10:18 AM
To: Dalton, Deborah <Dalton.Deborah@epa.gov>
Subject: FW: DOT Agreement

Gina M. Cerasani, Ph.D.
Conflict Prevention and Resolution Center
U.S. Environmental Protection Agency
"Making Agreement Easier"

(202) 564-0838

<http://intranet.epa.gov/adr> or <http://www.epa.gov/adr>



From: Logan, Shanita

Sent: Thursday, June 08, 2017 6:39 PM
To: Cerasani, Gina <Cerasani.Gina@epa.gov>
Cc: Underwood, Michael <underwood.michael@epa.gov>; Lindo, Talitha <lindo.talitha@epa.gov>
Subject: DOT Agreement

Hi Gina,

I reviewed all of the documents for the IAA with DOT. I updated the IAA form to include EPA's "Seller" information. Please let me know if you need anything else to support the agreement.

I am looping in Michael Underwood OGC's IAA poc.for the next steps. Michael, please advise.

Thanks

Shanita Logan

202-564-0227

To: Cecil Rodrigues[Rodrigues.Cecil@epa.gov]; burrows, Cynthia[Burrows.Cynthia@epa.gov]; Coe, Mary[Coe.Mary@epa.gov]; Neil Bigioni[Bigioni.Neil@epa.gov]; Samantha Beers[Beers.Samantha@epa.gov]; Gardner, Allison[Gardner.Allison@epa.gov]; D'Andrea, Michael[DANDREA.MICHAEL@EPA.GOV]; Miller, Linda[miller.linda@epa.gov]; Mastro, Donna[mastro.donna@epa.gov]; Talley, David[Talley.David@epa.gov]
From: Isales, Daniel
Sent: Fri 7/15/2016 2:19:29 PM
Subject: Brandywine Title VI Complaint-meeting summary
Brandywine Meeting Summary 7 14 16.docx

Samantha and I attended the meeting held yesterday in Washington, DC between EPA, DOT, DOJ, Earthjustice, MDE, MDNR and the MD PSC. Our meeting summary is attached. If you have any questions at all, please do not hesitate in contacting either one of us. Thank you, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

Environmental Science Center

701 Mapes Road

Fort Meade, Maryland 20755-5350

(410) 305-3016

Isales.daniel@epa.gov

To: Samantha Beers[Beers.Samantha@epa.gov]
From: Isales, Daniel
Sent: Thur 7/14/2016 9:44:20 PM
Subject: Meeting Summary
Brandywine Meeting Summary 7 14 16.docx

Samantha,

I have my own notes (as I know you do) and I know that OCR is going to distribute its version of meeting notes, but I always prefer to do a my own meeting summary (attached). Please review the meeting summary and let me know of any edits you would suggest and then we can distribute them to Cecil and others in the Region. Thanks, Dan

Daniel L. Isales (3RC60)

United States Environmental Protection Agency, Region III

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Isales.daniel@epa.gov